

REMARKS

Claims 1-70 are pending in the present application. Claims 1-69 have been rejected. In the above amendments, claims 1, 7, 13, 18-35, 41, 47, 52, 58 and 64 have been amended, and new claim 70 has been added. Therefore, after entry of the above amendments, claims 1-70 will be pending in this application. Applicants believe that the present application is now in condition for allowance.

35 U.S.C. 103(a) Rejection

Claims 1,3,7,9,13,14,18,20,24,26,30,31,35,37,41,43,47,48,52,53,58,60,64 and 65 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Dailey (U.S. Patent No. 6,419,491) in view of Hamalainen (U.S. Patent No. 5,966,378). Applicants respectfully traverse the rejection.

The independent claims, 1, 7, 13, 18, 24, 30, 35, 41, 47, 52, 58 and 64, of the Applicants' claimed invention has been amended in a manner that overcome the previous rejections. That is, neither Dailey, Hamalainen, Phillips (U.S. Patent No. 5,873,023), Kumar (U.S. Patent No. 6,507,572), Wang (U.S. Patent Application No. 20020055364) nor Hunzinger (U.S. Application No. 20020082032), separately or in combination, disclose, teach or suggest the limitations to "initiating a service origination process from the source communication device" in combination with receiving a floor-control request from the source communication device.

The support for these claim amendments are found in paragraphs [0077], [0078], [0079] and [0080] in the Applicants' specification.

Dailey discloses a method and apparatus for conducting group calls in wireless communication systems. Hamalainen discloses a method for avoiding collisions in radio communication, between transmissions in the uplink and in the downlink. There is no mention

of initiating a service origination process from the source communication device. In Dailey, the portion of the application referenced (Col. 8, lines 44-49) in the Office Action discloses, “In response, the system transmits a traffic channel designation message addressed to terminals in the group associated with the group call origination message, identifying a common traffic channel over which the group call is to be conducted (Block 715).” In addition, the abstract states “The transmitted group call origination message is received at a transceiver unit and, in response, a group call traffic channel designation messages addressed to a group of terminals is transmitted from the transceiver units, the transmitted group call traffic channel designation message designating a common traffic channel.” The Office Action equates a traffic channel designation message to the limitation of the independent claims “service origination process.” Applicants’ contend that a traffic channel designation message is not the same as a “service origination process.” Dailey clearly states that the traffic channel designation message originates from “the system” or “the transceiver units” and not the “terminals.”

Hamalainen fails to make up for the deficiencies of the primary reference as it discloses collisions between uplink and downlink transmissions, i.e., transmissions that collide because they are originated at different locations. The term collisions in Hamalainen are different than race conditions specified in Applicants’ claims. A race condition in Applicants’ claims is related to the timing of different signals originating from the same source, as opposed to the collision of the same signals from different sources as discussed in Hamalainen. Therefore, neither Dailey nor Hamalainen suggest or teach “receiving a floor-control request from a source communication device for initiating a group call” and “initiating a service origination process from the source communication device” in conjunction with “avoiding a race condition between the service origination process and paging.”

Dependent Claims

Claims 2-6, 8-12, 14-17, 19-23, 25-29, 31-34, 36-40, 42-46, 48-51, 53-57 and 65-69 depend directly or ultimately from, and include all the subject matter of, claims 1, 7, 13, 18, 24, 30, 35, 41, 47, 52, 58 and 64, respectively, and should be allowed for at least the same reasons presented above regarding the independent claims as well as the additionally recited features found in the dependent claims. Because independent claims 1, 7, 13, 18, 24, 30, 35, 41, 47, 52, 58 and 64 are believed to be allowable, Applicant has not argued or otherwise relied on independent

patentability of dependent claims, but reserves the right to do so in this or any subsequent proceeding.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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